



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
REPORT OF EXAMINATION
CONSOLIDATION OF AN EXEMPT RIGHT
WRTS File #GWP CG2-27229@1

PRIORITY DATE	CLAIM NO.	PERMIT NO.	CERTIFICATE NO.
November 16, 1987		CG2-27229@1	

NAME Rainier View Water Company Inc.		
ADDRESS/STREET	CITY/STATE	ZIP CODE
PO Box 44427	Tacoma, WA	98448-0247

PUBLIC WATERS TO BE APPROPRIATED

SOURCE Well 3 (Gateway Well) (Tag# BBN-061)
TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND (cfs)	MAXIMUM GALLONS PER MINUTE (gpm)	MAXIMUM ACRE FEET PER YEAR (ac-ft/yr)
	165	217.4

QUANTITY, TYPE OF USE, PERIOD OF USE 82.4 ac-ft additive , 135 ac-ft non-additive Commercial & multiple domestic supply Year-round, as needed
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LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION—WITHDRAWAL 350 feet east and 1,000 feet east of the north quarter corner of Section 20

SOURCE	PARCEL	LATITUDE	LONGITUDE	QTR/QTR	SECTION	TOWNSHIP	RANGE
4002600030	47 18' 41 "	N122 33' 53" W		NW NE	20	21 North	2 E.W.M.

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

[Attachment 1 shows location of the authorized place of use and point(s) of diversion or withdrawal]

The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as Rainier View Water Company is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

DESCRIPTION OF PROPOSED WORKS

A well, 8-inches in diameter x 356 feet deep

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE Started	COMPLETE PROJECT BY THIS DATE January 1, 2011	WATER PUT TO FULL USE BY THIS DATE June 1, 2011
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PROVISIONS

Withdrawals from Well 3 under Water Right Certificates G2-21611 and G2-27229 are limited to 200 gpm.

Installation and maintenance of an access port as described in Chapter 173-160 WAC is required.

The subject well has been tagged with a well identification number. This unique well number shall remain attached to the well. Please reference this number when submitting data.

An approved measuring device shall be installed and maintained for the well authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements". These requirements can also be found on Ecology's internet website at <http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>.

Water users can petition Ecology to ask for modifications to some of the metering requirements. To file a petition to request changes contact:

Metering Coordinator
Water Resource Program
Southwest Regional Office
Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775

Metering data shall be submitted by January 31st of each year: In the future, Ecology may require additional information or more frequent reporting. Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information. <http://www.ecy.wa.gov/pubs/ecy070170.pdf>

- Owner or contact name (if different).
- Mailing address.
- Daytime phone number.
- WRIA.
- Certificate No.
- Source name with well tag number.
- Annual quantity used, including units.
- Maximum rate pumped, including units.
- Monthly meter readings, including units.
- Peak monthly flow, including units.
- Department of Health WFI water system number and source number(s).
- Purpose of use.
- Unique Well ID Number.
- Period of use.

If the criteria in RCW 90.03.386(2) are not met and a Water System Plan/Small Water System Management Program was approved after September 9, 2003, the place of use of this water right reverts to the service area described in that document. If the criteria in RCW 90.03.386(2) are not met and no Water System Plan/Small Water System Management Program has been approved after September 9, 2003, the place of use reverts to the last place of use described by Ecology in a water right authorization.

Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water at Southwest Drinking Water Operations, 2411 Pacific Avenue, PO Box 47823, Olympia, WA 98504-7823, (360) 664-0768 prior to beginning (or modifying) your project.

Legally enforceable agreements that prohibit construction of future exempt wells to serve the properties involved in exempt well consolidations are required. Appropriate binding limitations shall be placed on the titles to these properties to ensure applicability to subsequent land owners. Copies of the agreements shall be submitted to the Department of Ecology Southwest Regional Office prior to Proof of Appropriation or earlier, upon request.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above provisions, and to inspect at reasonable times any measuring device used to meet the above provisions.

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed, the well to be consolidated has been decommissioned and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the superseding certificate. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

FINDINGS OF FACT AND ORDER

Upon reviewing the investigator's report, I find all facts relevant and material to the subject application have been thoroughly investigated. Furthermore, I find the change of water right as recommended will not be detrimental to existing rights.

Therefore, I ORDER approval of the recommended exempt well consolidation to GWC G2-27229 under Change Application No: CG2-27229, subject to existing rights and the provisions listed above.

You have a right to appeal this ORDER. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey, WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals and Application for Relief
Coordinator
PO Box 47608
Olympia, WA 98504-7608

OR

Deliver your appeal in person to:

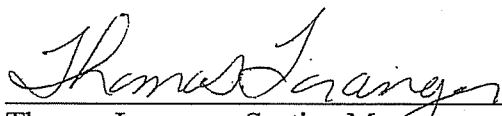
The Department of Ecology
Appeals and Application for Relief
Coordinator
300 Desmond Dr SE
Lacey, WA 98503

3. And send a copy of your appeal to:

Thomas Loranger
Department of Ecology
Southwest Region Office
PO Box 47775
Olympia, WA 98504-7775

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www.l.wa.gov/CodeReviser>.

Signed at Olympia, Washington, this 12th day of November 2009.


Thomas Loranger, Section Manager
Water Resources Program
Southwest Region Office

BACKGROUND

On June 16, 2008, Robert Blackman, representing Rainier View Water Company (RVWC), filed an *Application for Change of Water Right* to consolidate a water right perfected under the groundwater exemption to GWC G2-27229. The project is in Kitsap Water Resources Inventory Area (WRIA) 15.

Based on the provisions of Chapters 90.03 and 90.44 Revised Code of Washington (RCW), I recommend approval of this application.

Description and Purpose of Proposed Change

The intent of this *Application for Change* is to consolidate water rights perfected under the groundwater exemption to Gateway Well (Well 3) of RVWC's Olympic Mall Water System. This exempt well operated as a Group A water system (Washington Department of Health (WDOH) System ID#66636) and served four businesses.

See Attachment #1

Attributes of Ground Water Permit (GWP) G2-27229 and Proposed Change

Table 1 Summary of Proposed Changes to GWP G2-27229

Attributes	Existing	Proposed
Name	Rainer View Water Company	Same
Priority Date Date of Application for Change	November 16, 1987	May 27, 2008
Instantaneous Quantity Gallons per minute (gpm)	165	Same
Annual Quantity Acre-feet per year (ac-ft/yr)	80 ac-ft additive 135 ac-ft non-additive	80.4 ac-ft additive 135 ac-ft non-additive
Source	Well 3	Same
Point of Diversion/Withdrawal	NW ¼ NW ¼ Section 20, T 19N, R 3 EWM	Same
Purpose of Use	Domestic Supply	Domestic and Commercial Supply
Period of Use	Continuous year round	Same
Place of Use	The service area described in the most recent Water System Plan approved by the Washington State Department of Health (WDOH) so long as RVWC remains in compliance with criteria in RCW 90.03.386 (2). RCW 90.03.386 may have the effect of revising the place of use of this water right.	Same

Statements of Authority

RCW 90.44.105 provides that permit-exempt uses (RCW 90.44.050) may be consolidated with a valid right to withdraw ground water only if all the following conditions are met:

- The exempt well taps the same body of public ground water.
- The use of the exempt well is discontinued when the consolidation is approved.
- Construction of another exempt well is prohibited by legally enforceable agreements.
- The exempt well will be legally decommissioned.
- Other existing water rights will not be impaired, including both groundwater and surface water rights, and instream flows.

Legal Requirements for Proposed Change

The following is a list of requirements that must be met before the proposed exempt well consolidation can be authorized.

- **Public Notice**

A public notice of the proposed consolidation was published in the *Tacoma News Tribune* on February 19 and February 26, 2009. No protests were received as a result of this notice.

- **State Environmental Policy Act (SEPA)**

A SEPA determination evaluates if a proposed withdrawal will cause significant adverse environmental impacts. A SEPA threshold determination is required for:

- ▶ Surface water applications for more than 1 cubic feet per second (cfs). For agricultural irrigation, the threshold increases to 50 cfs, if the project isn't receiving public subsidies.
- ▶ Groundwater applications requesting more than 2,250 gpm.
- ▶ Projects with several water right applications where the combined withdrawals meet the conditions listed above.
- ▶ Projects subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA).
- ▶ Applications that are part of several exempt actions that collectively trigger SEPA under WAC 197-11-305.

This application does not meet any of these conditions and it is categorically exempt from SEPA.

- **Water Resources Statutes and Case Law**

Department of Ecology favors approving well consolidations if the requirements of RCW 90.44.105(5) are met and decommissioning the exempt well is consistent with one of the following:

- ▶ An adopted coordinated water system plan under RCW 70.116.
- ▶ An adopted comprehensive land use plan under RCW 36.70A.
- ▶ Other comprehensive local watershed management plans with objectives to decrease existing and newly developed small groundwater withdrawal wells.

INVESTIGATION

I reviewed the following information to evaluate this application:

- State Ground and Surface Water Codes, administrative rules, and policies
- Water right certificates, permits, claims, and applications on record with the Department of Ecology
- Water well reports recorded in the Department of Ecology's Well Log Image System
- State Department of Health Sentry Database
- Topographic and local area maps
- Technical Memorandum dated August 18, 2009 by Tammy Hall, Licensed Hydrogeologist, with Ecology's Water Resources Program at Southwest Regional Office.
- Notes from a site visit on August 18, 2009 by Tammy Hall.
- E-mail correspondences from Irene Murakami (RVWC) and Jill Van Hulle (Pacific Groundwater Group).

History of Water Use

GWP G2-27229 was issued on December 13, 1988 to Richardson Water Companies. Richardson Water Company was incorporated as RVWC in 1990. The permit authorized withdrawal of 165 gpm and 215 ac-ft per year (80 ac-ft additive, 135 ac-ft non-additive) for community domestic supply.

RVWC is privately-owned and comprised of 29 separate water systems. Twenty-four of these systems range from three to 116 connections. The five remaining systems serve anywhere from 127 (Wollochet Heights) to 3,556 connections (Southwood) (Comprehensive Water System Plan for Rainier View Water Company, October, 1995).

This consolidation proposes to consolidate water rights perfected under the Water Right Exemption by an exempt well to Well 3 in the Olympic Mall Water System.

Proposed Use

This change proposes to consolidate water rights perfected by an exempt well to an existing water right permit. This will allow customers that used the exempt well to be served by RVWC’s Olympic Mall Water System. The purpose of use of the water right will now include commercial supply in addition to domestic supply.

Although RVWC is no longer considered a municipal water supplier, GWP G2-27229 was conformed in 2005 as being for municipal water supply purposes. The municipal status may change in the future through the operation of law. The alteration of the place of use of this water right through RVWC’s water system plan amendment process is presumed to be effective. If, in the future, this right is determined to be non-municipal, RVWC may need to file a change application to amend the place of use to reflect the current DOH-approved service area.

Estimate of Exempt Rights Available for Consolidation

Department of Water Resources Policy 1230 states the most that can be consolidated from any right established under the exemption is what was used, not to exceed 5,000 gallons per day. If the applicant has credible evidence supporting water use, the amount eligible to consolidate is the average pumped in gallons per day for the most recent five-year period before the date of the application.

This exempt well served four commercial businesses: Dick Boyles Chevrolet, D&H Floor Coverings & Furniture, Western Building Center, and Shorewood Realty. The Chevy Well is not metered. Because these businesses were not included in the original Place of Use for the Olympic Mall Water System, water eligible under the water right exemption can be transferred to RVWC through a consolidation.

Based the businesses and the nature of the water use, about 2.40 ac-ft per year was pumped from the well. The well was equipped to produce 50 gpm. (RVWC, 2009).

Water from the well was mostly used for domestic supply for employees of the businesses and for customers. Water was also used by the car dealership for washing cars and landscaping irrigation. Total water use was estimated using the following assumptions:

- Total employee count of 42 @ 15 gallons per day = 630 gallons per day or 0.7 ac-ft per year.
- Customer count of 125 @ 3 gallons per day = a total of 375 gallons per day or 0.42 ac-ft per year.
- Commercial use at auto dealership-mostly car washing, assuming 12 cars a day washed at about 10 gallons per car = 120 gallons per day or 0.13 ac-ft per year.
- Commercial water use to maintain nursery container stock at 200 gallons per day or 0.25 ac-ft per year.
- Irrigation- ½ acre total related landscaping. Water requirement based on general pasture/turf irrigation at 0.9 ac-ft per year (Natural Resources Conservation Services, 2005).

A water right claim filed in 1974 specified first use of water on the property was after 1945. However; since the amount used does not exceed 5,000 gallons per day, the right would be exempt from formal water right acquisition.

Other Rights Appurtenant to the Place of Use

The Olympic Mall Water System serves customers on the Gig Harbor Peninsula. Washington Department of Health (WDOH) approved the water system plan in 2001. The system serves residential and commercial development. The plan acknowledges that any system expansion is limited mostly to vacant commercial properties inside the service area. Water rights pertaining to the Olympic Mall Water System are listed in Table 2.

Table 2. Water Rights for Olympic Mall Water System

Water Right	Source	Location	GPM (Qi)		Ac-ft per year	
			Additive	Non-additive	Additive	Non-additive
G2-21551	Well 1	NW ¼ NW¼ of Sec. 21	112	0	36	
G2-26516	Well 2	NW ¼ NW¼ of Sec. 21	288	112	284	36
G2-27229	Well 3	NW ¼ NE ¼ of Sec, 20	165		80	135
G2-21611	Well 3	NW ¼ NE ¼ of Sec, 20	35		5	
Total			600		405 ac-ft per year	

Well 1 is equipped to produce 110 gpm. Well 2 pumps 235 gpm.

Hydrologic/Hydrogeologic Evaluation

Geologic Setting

The Gig Harbor Peninsula lies in the south half of the Puget lowland between the central Cascade Range to the east and the southern Olympic Mountains to the west. The Puget lowland is part of a large glacial drift plain formed by multiple glaciations that occurred in the region. These events resulted in a complex distribution of both glacial and non-glacial sediments. The thickness of these deposits is not known.

The principal aquifers include locally occurring perched water zones, the Upper Aquifer, the Sea Level Aquifer; and at least two deep aquifer systems below the Sea Level Aquifer. One principal aquitard usually separates the Upper Aquifer from the Sea Level Aquifer (EMCON, 1992).

Perched groundwater occurs where impervious layers prevent downward percolation of groundwater. Perched water occurs in pockets of permeable material in the till. Wells completed in perched zones only produce enough water to provide single domestic supply.

The Upper Aquifer is between sea level and 250 feet above mean sea level (msl). This unit is a poorly sorted gravel, sand, silt, and clay. It is usually around 50 feet thick, although it can be as thick as 200 feet (EMCON, 1992).

The Upper Aquifer and Sea Level Aquifer are separated by a low permeability unit that retards groundwater flow. Garling and Molenaar (1965) and Drost (1982) identify this fine-grained unit as the Kitsap Formation. Although it can be up to 200 feet thick in places, the Kitsap Formation may be absent in other areas. It is found between 200 feet above to 100 feet below msl (EMCON, 1992).

The Sea Level Aquifer is a major source of groundwater in the Gig Harbor Peninsula. The aquifer is composed of sand and gravel and can be as thick as 250 feet. It is encountered between 150 feet above to 150 feet below msl (EMCON, 1992). These deposits are also called Salmon Springs glacial drift (Drost, 1982).

All the unconsolidated materials below the Sea Level Aquifer is referred to as Pre-Salmon Springs deposits. Only the upper 100-200 feet of the unit is well known. The unit consists mostly of clay and silt underlain by sand and gravel. These materials can be more than 1,000 feet thick and extend downward to bedrock. The top of the unit is generally below sea level (Drost, 1982).

In the Gig Harbor Peninsula area, all aquifers are recharged almost exclusively from precipitation. Hydraulic connections between these aquifers and other mainland aquifers are limited by topography. Groundwater from the Upper and Sea Level Aquifers discharges to deeper aquifers, surface streams and lakes, and marine water. Horizontal groundwater flow is generally from the interior of the peninsula toward marine water (EMCON, 1992).

Site Conditions

Well 3 and the Chevy Well are situated on the central portion of the Gig Harbor Peninsula, about three miles from the southern tip. The Chevy well is about 2,600 feet, roughly ½ mile, north of Well 3 at an elevation about 50 feet higher. The Narrows of Puget Sound is about ½ mile east. The site topography generally slopes eastward at an average gradient of five percent.

Lithologic descriptions on well reports and elevations of the water-bearing formations indicate both wells are completed in the Sea Level Aquifer and draw from the same body of public groundwater.

There is no information available on the Chevy Well. When it was decommissioned in July 2009, the driller reported the well’s total depth to be near 780 feet. No other details regarding well construction are known, but it is likely the well was completed in the Sea Level Aquifer. Only one well in the area is completed beyond the Sea Level Aquifer. This well is owned by the City of Gig Harbor and it is over 900 feet deep.

Details of each well are summarized in Tables 3 and 4.

Table 3. Chevy Well construction details

Date Drilled	Unknown
Well head elevation (ft above mean sea level, msl)	300
Well diameter (inches, in)	6
Completed depth (ft below ground surface, bgs)	Unknown
Screens	Unknown
Static water level (ft bgs)	Unknown
Pumping capacity (gpm)	50

Table 4. Well 3 construction details

Date Drilled	1974
Well head elevation (ft above mean sea level, msl)	250
Well diameter (inches, in)	8
Completed depth (ft below ground surface, bgs)	356
Screens	343-356 ft
Static water level (ft bgs)	220 ft
Date Measured	10/8/1974
Pumping capacity (gpm)	200

Water Availability

The Chevy Well was an exempt well that served four businesses and used to irrigate about ½ acre of landscaping. Historically, 50 gpm and 2.40 ac-ft each year has been available for use.

Water was determined to be available under G2-27229 (165 gpm, 80 ac-ft) and G2-21611 (35 gpm, 5 ac-ft). This finding of availability does not change.

Well 3 can easily produce an additional 2.4 ac-ft per year from this exempt well consolidation. Because Well 3 is being pumped at full capacity (200 gpm), the pumping rate will not increase.

Impairment Considerations

Effects on Existing Water Users

Water right changes have greatest potential to affect wells completed in the same aquifer near the new point of withdrawal.

WAC 173-150-060 specifies only impacts to qualifying withdrawal facilities are considered impairment. This means wells can be affected but impacts do not fit the legal definition. Qualifying withdrawal facilities are wells completed in the same aquifer as the new point of withdrawal. The well must span the aquifer’s entire saturated thickness and the pump elevation must allow variation in seasonal water levels.

This approval will allow consolidation of a water right perfected by the Chevy Well under the groundwater exemption to RVWC’s portfolio for the Olympic Mall Water System, specifically Well 3, about 2,600 feet away. RVWC will be allowed to pump about 2,143 gallons a day (maximum rate-200 gpm) and 2.4 ac-ft a year more from Well 3. Because both wells are close together and the increase in pumping is very small, there should be no effects to neighboring water users.

Ecology’s databases were queried to determine the number of water right certificates, permits, claims, and water wells ranging from 1,760 ft (1/3 mile) to 2,500 ft (½ mile) from Well 3. The size of the search area was selected to make records retrieval easier.

Information shows most wells are completed in the Sea Level Aquifer, however it is unknown if any span the entire saturated thickness. Well interference from the increase in pumping Well 3 may happen, but nearby wells show enough available drawdown to compensate for effects, if any were to occur. Since the area around Well 3 is supplied by water purveyors, it is unlikely that single domestic wells exist nearby.

Table 5 summarizes the water right certificates within 1,500 feet of Well 3. The purpose of use for all these certificates is either municipal or multiple domestic supply.

Table 5. Water right certificates within 1,500 feet of Well 3 .

WRC #	Name	gpm	Ac-ft/yr	well depth (ft)	screened interval (ft bgs)	static water level (ft)	available drawdown (ft)	distance from well (ft)
G2-*09053	STROH F	100	80	318	310-316	244	72	900
G2-24616	Quail Run Water Co	190	74.1	396	385-394	208	186	1,000
G2-25461	Quail Run Water Co	200	147	396	385-394	208	186	1,000
G2-25347	EP Miller ET UX	100	27.25	350	330-350	222	128	1,500
G2-25578	EDW P Miller ET UX	250	37	402	387-402	275	127	1,500

The following additional water right claims and well reports are on file with Ecology’s databases and may be 1/3 mile to one mile from Well 3.

- Twenty-two water right claims are registered for domestic supply, irrigation, and stockwater. The validity and location of these claims is not known.
- Twenty-six well reports are on file in Ecology’s data base. These wells range in depth from 67 to 901 feet (City of Gig Harbor). Most wells are between 200 to 300 feet deep and draw water from the Sea Level Aquifer.

Seawater Intrusion

Well 3 is completed in the Sea Level Aquifer about 3,300 feet (0.6 mile) from marine water. Chloride data from Well 3 is not available; however, in 1968 and 1978, two wells near Well 3 also completed in the Sea Level Aquifer

showed concentrations less than 3 mg/l (Dion and Sumioka, 1984). General information confirms chloride levels in coastal wells in Pierce County are relatively low, ranging from one to six milligrams per liter (mg/L).

The current minimum contaminant level (MCL) for chloride, according to Federal standards, is 250 mg/L based on aesthetics (taste). Chlorides less than 100 mg/L are not considered harmful and difficult to taste. Chloride has a salty taste at concentrations over 250 mg/L in the form of sodium chloride.

The easiest way to reduce the likelihood of seawater intrusion in areas at potential risk is to keep pumping rates low so a pronounced cone of depression that draws up salt water does not develop. This permit currently requires RVWC to monitor water levels and collect water quality data regularly. If water levels decline and chlorides increase, RVWC will need to take mitigative measures so seawater intrusion does not occur.

Effects to Surface Water

Chapter 173-514 WAC sets instream flows for some streams and closes many year round to surface water diversions. The WAC also closes small streams with average flows of less than five cubic feet per second (cfs) because of their importance to anadromous fish, aesthetics, water quality, and recreation. In accordance with the intent of the WAC, natural flow is considered minimum flow for protection of instream resources. Groundwater withdrawals are not allowed if they could adversely impact regulated surface water.

This consolidation is not expected to harm flows in regulated surface water in the WRIA. There are no regulated surface streams in the area. Runoff primarily flows downhill to marine water, which is about ½ mile northeast.

This consolidation does not represent an increase in water use; it only moves the point of withdrawal ½ mile southwest. Both the exempt Chevy well and Well 3 intercept groundwater that would otherwise discharge to marine water.

Public Interest Considerations

Consolidation of the Chevy Well to Well 3 reduces the number of domestic wells in the area. Well 3 is operated by RVWC, a water purveyor subject to metering, reporting, water use efficiency, and conservation requirements. Ultimately, less water will be pumped for each connection than if the Chevy well and other exempt wells continue to operate in the area. Consolidation of exempt wells to water purveyors like RVWC is encouraged.

The Department of Ecology is required to "accord a presumption in favor of approval" if the statutory criteria for a consolidation are met and if decommissioning of the exempt well is consistent with local land use and water plans, and watershed plans. Under the Public Water System Coordination Act, a Coordinated Water System Plan was adopted, establishing service area boundaries for RVWC.

RVWC is a designated water purveyor for this area. RVWC's Water System Plan dated 1995 was approved by the State Department of Health and addresses future service to customers in their service. An updated Water System Plan for the Southwood Water System is expected within the next year.

Consideration of Protests and Comments

The Department of Ecology did not receive any protests or comments in response to the public notice that appeared in the *Tacoma News Tribune*.

CONCLUSIONS

In accordance with Chapters 90.03 and 90.44 RCW, I find that:

- Well 3 is completed in the same body of public water as the Chevy well.
- The Chevy Well has been decommissioned.
- RVWC and the owners of the properties served by the Chevy Well have agreed to enter into a legally enforceable agreement to prohibit the development of future wells on their properties.
- Approving this consolidation is consistent with the Coordinated Water System Plan, WRIA 15 watershed management planning, and with local land and water use plans.
- Commercial use is a beneficial use.
- The consolidation of the right established under the exemption with that under GWP G2-27229 will not impair existing rights.
- The consolidation will not be detrimental to the public welfare.

RECOMMENDATIONS

Based on the investigation and conclusions, I recommend consolidating exempt rights associated with the Chevy Well to GWP G2-27229. I also recommend that a superseding permit be issued for the amount listed below. This authorization is subject to the limits and provisions beginning on Page 2, et seq.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

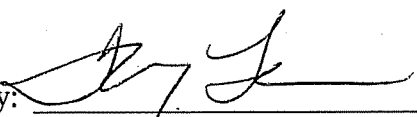
- 165 gpm.
- 80.4 ac-ft per year (additive) 135 ac-ft per year (non-additive)..
- Multiple domestic and commercial supply.

Point of Withdrawal

NW¼, NE¼, Section 20, Township 21 North, Range 2 E.W.M.

Place of Use

As described on Page 1 of this Report of Examination.

Report by:  11/10/2009

Tammy Hall, L.H.G. Date
Water Resources Program

If you need this publication in an alternate format, please call Water Resources Program at (360) 407-6300. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

The following hydrogeologic information was obtained from these listed resources materials:

REFERENCES:

Dion and Sumioka, 1978, *Seawater Intrusion into Coastal Aquifers in Washington*.

Drost, 1982, *Water Resources of the Gig Harbor Peninsula and Adjacent Areas, Washington*, USGS Open File Report 81-1021.

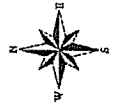
E3RA, Inc, 2004, *Well Pumping Test Report, Gig Harbor Motor Inn, Gig Harbor, Washington*.

Garling and Molenaar, 1965, *Water Resources and Geology of the Kitsap Peninsula and Certain Adjacent Islands*, USGS Water Supply Bulletin No. 18.

Natural Resources Conservation Services, 2005, *Washington State Irrigation Guide*.

Sweet-Edwards/ EMCON, Inc., 1992, *Gig Harbor Peninsula Ground Water Management Plan, Task 5 Hydrogeologic Evaluation Report*, prepared for the Tacoma-Pierce County Health Department.

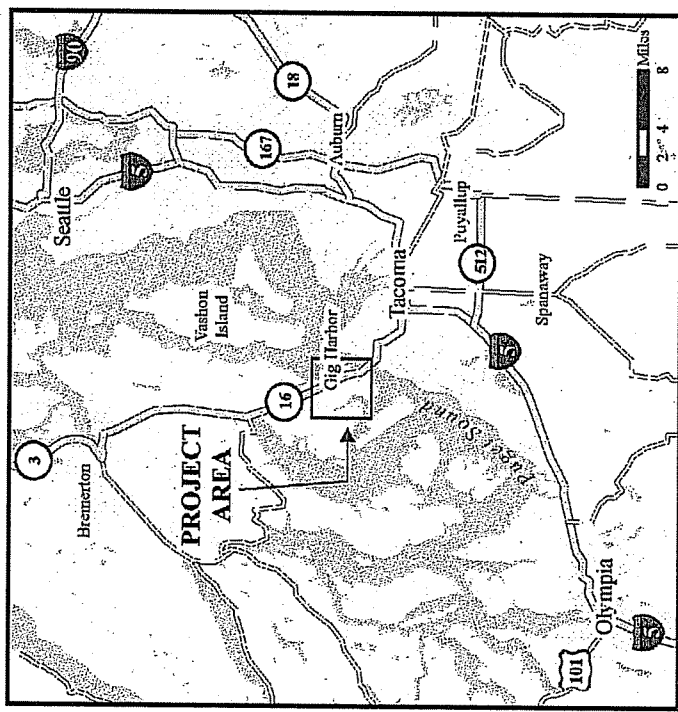
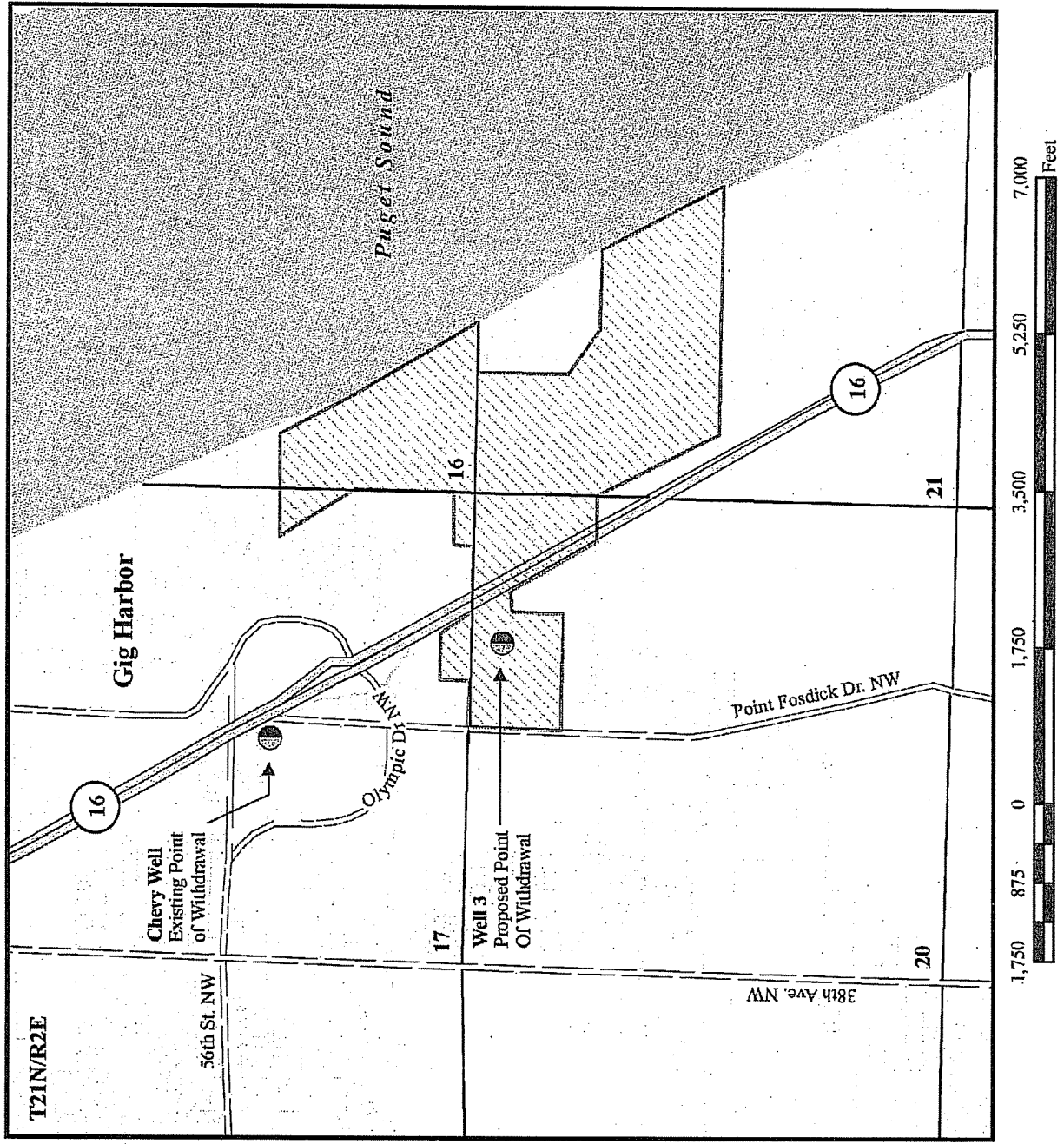
USGS and Department of Ecology, 1984, USGS Water-Supply Bulletin 56



Rainier View Water Company Inc.
Water Right Change Number G2-27229
Sec. 20 T. 21 N. R. 2 E W.M.
WRIA 15 - Pierce County



ATTACHMENT 1



Legend

- WELL LOCATIONS (POW)
- PLACE OF USE (POU)
- PIERCE CO PARCELS
- SECTION LINES
- CITIES
- HIGHWAYS

Comments:

Place of use, points of withdrawal/diversion are as defined on the cover sheet under the heading, 'LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED.'

Map Created 9/02/2009 aln

